

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Kip C Schmidt

Docket No. 301973

LC No. 2007-001571-FC

Henry William Saad

Presiding Judge

Mark J. Cavanagh

Deborah A. Servitto

Judges

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The Court orders that the delayed application for leave to appeal is DENIED because defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D).

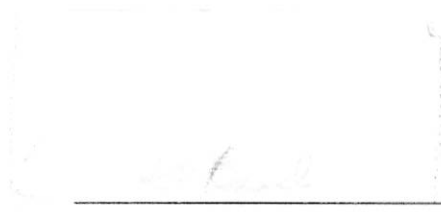
The motion to file a reply is GRANTED.

The motion to remand is DENIED because appellant has failed to demonstrate that the issue should be decided initially by the trial court. MCR 7.211(C)(1)(a)(i).

The motion for peremptory reversal pursuant to MCR 7.211(C)(4) is DENIED for failure to persuade the Court of the existence of manifest error requiring reversal and warranting peremptory relief without argument or formal submission.

The motion to waive fees filed by Phillip A. Brown II is DENIED.

The motion to file an Amicus Brief is DENIED.

  
\_\_\_\_\_  
Presiding Judge



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

OCT 12 2011

\_\_\_\_\_  
Date

  
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Chief Clerk